

EXHIBIT A

From: Winograd, Michael S <MWinograd@brownrudnick.com>
Sent: Thursday, April 13, 2023 12:45 PM
To: Torborg, David S.; Brown, Allison M; Jonas, Jeffrey L.
Cc: Jones, James M.; Gordon, Gregory M.; Villari, Timothy M.; Reining, Michael W.; Joe Satterley
Subject: Confidentiality Agreement re Discovery

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As noted, we agree with the below and will not provide confidential docs to lawyers representing claimants on our Committee without confirmation that they will also abide by the below (number 1 as to docs). I Again note as to number 3, I want to be clear that it is our position that none of the depositions we are taking now in any way will or should preclude our talking depositions of those witnesses again for a different motion, and in that regard, we will endeavor to avoid duplication of any questions in second depositions absent cause (e.g., new facts, evidence, circumstances).

1. Documents may be produced with confidential designations, and those documents will be maintained in confidence consistent with the terms of the protective order entered in the first LTL chapter 11 proceeding. Challenges to confidentiality may be made post-production consistent with the terms of that order, as well.
2. Deposition testimony shall be treated as confidential as elicited and for 24 hours after receipt of the transcript during which time counsel for the party/witness may make more particularized confidentiality designations. Challenges to the confidentiality of those designations may be made post-designation consistent with the terms of that earlier protective order.
3. All depositions taken in connection with the PI proceeding shall be limited to four (4) hours, cumulatively, on the record for all examiners, save for any examination conducted by counsel for the witness. Given this limitation, all parties reserve their rights concerning whether and the extent to which witnesses deposed in the PI proceeding may be deposed again in other later proceedings in this chapter 11 case.
4. No party will object to the admission of the evidence (the testimony and exhibits) admitted in the February 2022 PI/motion-to-dismiss proceedings.

Michael S. Winograd
BROWN RUDNICK LLP
7 Times Square
New York, NY 10036
T: 212.209.4917
M: 917.859.6225
mwinograd@brownrudnick.com

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